

**PHYSICAL THERAPY BOARD OF CALIFORNIA**

1418 HOWE AVENUE, SUITE 16, SACRAMENTO, CA 95825-3204

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INTERNET <http://www.ptb.ca.gov>**PUBLIC NOTICE – BOARD MEETING AGENDA****August 2 & 3, 2004**

Department of Consumer Affairs Howe Avenue Complex
 1424 Howe Avenue, Greg Gorges Conference Room
 Sacramento, California 95825
 (916) 561-8200

<i>Monday, August 2, 2004</i>	<i>10:00 A.M. - Board Meeting</i>
	<i>1:30 P.M. - Licensing & Practice Issues Committee Meeting</i>
<i>Tuesday, August 3, 2004</i>	<i>9:00 A.M. - Board Meeting</i>
	<i>10:00 A.M. - Regulatory Hearings & Public Forums</i>

The Board meeting schedule and agenda items are subject to change at the discretion of the Board President. Please refer to the Informational Notes at the end of the agenda.

The Committees will meet as part of the Board meeting. CLOSED SESSION agenda items will be held in accordance with the cited sections of the Government Code. All other agenda items will be held in Open Session. THE PUBLIC IS ENCOURAGED TO ATTEND.

Monday, August 2, 2004 10:00 A.M.

- 1. Call To Order and Roll Call**
- 2. Maximus Diversion Program Overview – Donald Fensterman**
- 3. Consideration of Implementing Diversion Evaluation Committee(s) – Debi Mitchell**
- 4. Deliberation and Discussion on Stipulated Settlements, Proposed Default Decisions, Proposed Decisions, Non-Adoption of Proposed Decision, Petitions for Reconsideration – CLOSED SESSION (per Title 2, Division 3, Part 1, Section 11126(c)(3) of the Government Code)**
 - (A) Jonathan Klingbeil, PT**

The BOARD'S MISSION

The mission of the Physical Therapy Board of California is to promote and protect the interests of the people of California by administering and enforcing the Physical Therapy Practice Act.

The BOARD'S VISION

The Physical Therapy Board of California will provide effective, consistent and relevant regulation of the practice of physical therapy thereby ensuring protection of the consumer. California's physical therapy consumers and practitioners will enjoy a safe, fair and competitive marketplace by virtue of the efforts of the Board.

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5. 1:30 P.M. Licensing and Practice Issues Committee Meetings

Licensing Committee Meeting - *Ellen Wilson, PT, James Turner, Randi Woodrow, PT, Donald Chu, PhD., PT*

- (A) The Committee will review and take actions on applications submitted by individuals who are applying for licensure as a physical therapist or a physical therapist assistant (i.e. letters of appeal, requests for application extensions, credential reports that do not meet the criteria by review at the staff level)
- (B) The Committee will review and take actions it deems appropriate on staff's concerns regarding the credential evaluations of International Education Consultants Josef Silny & Associates, Inc.
- (C) The Committee will review and take actions it deems appropriate on the Physical Therapist Assistant Equivalency Candidate Checklist.

Practice Issues Committee Meeting - *Lorraine Kimura, PT, Julie Brandt, Donald Chu, PhD., PT*

- (A) The Board will review, discuss, and take actions on practice issues that have been submitted to the Board.
 - 1. Questions regarding Physical Therapy Corporation Ownership by Layperson and Physical Therapists Assistants in the Realm of Corporation Ownership. – Mark B. Brown, Attorney
 - 2. Can a physical therapist supervise an occupational therapist in the delivery of modalities? – Jorge Orozco, PT

RECESS UNTIL 9:00 A.M. Tuesday, August 3, 2004

Tuesday, August 3, 2004 9:00 A.M.

6. Call to Order and Roll Call

7. Approval of Minutes

- (A) May 10 & 11, 2004 – Board Meeting

8. President's Report – *Donald Chu, PhD, PT*

- (A) 2004 Meeting Dates
- (B) 2005 Meeting Dates
- (C) Update
- (D) Out-of-State Travel
- (E) Meeting Format

9. Executive Officer's Report -*Steven K. Hartzell*

- (A) Update
- (B) 2003 - 2004 Budget
- (C) 2004 - 2005 Budget
- (D) 2005 - 2006 Budget & BCP's

10. Newsletter – *Arlyce Ten Broeck*

- (A) Delegation to Approve Final Newsletter

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11. **Strategic Planning** – *Arlyce Ten Broeck*
 - (A) Strategic Planning Matrix Chart
12. **Consumer and Professional Associations and Intergovernmental Relations** – *Steve Hartzell*
 - (A) California Physical Therapy Association (CPTA)
 - Identify Board members attendance at the CPTA's Annual Conference October 21-23, 2004
 - (B) Federation of State Boards of Physical Therapy
 - (C) California Consumer Affairs Association
 - (D) Department of Consumer Affairs
 - (E) Citizen Advocacy Center
 - (F) California Board of Occupational Therapy
 - (G) Board of Chiropractic Examiners

13. **Physical Therapy Practice Act Review Task Force** – *Lorraine Kimura, PT*

14. **Rulemaking** – *Rebecca Marco*

10:00 A.M. Regulatory Hearings & Public Forums

15. ***Regulatory Hearing on 1399.15 Disciplinary Guidelines***
16. ***Public Forum on Proposed Amendment to Section 1399 of the California Code of Regulations - Physical Therapy Aide Supervision***
17. ***Public Forum on Proposed Physical Therapist Assistant Supervision Regulation 1398.44***
18. ***Public Forum on Proposed Patient Records Regulations 1399.85***
19. ***Public Forum on Adding a Student as a Non-Voting Board Member***
20. **Licensing Committee** – *Ellen Wilson, PT, James Turner, Randi Woodrow, PT, Donald Chu, PhD., PT*
 - (A) Report on Committee Actions
 - (B) Discussion and/or Action on Committee Recommendations
21. **Practice Issues Committee** - *Lorraine Kimura, PT, Julie Brandt, Donald Chu, PhD., PT*
 - (A) Report on Committee Actions
 - (B) Discussion and/or Action on Committee Recommendations
22. **Complaint Disclosure Policy** – *Steven K. Hartzell*
23. **Development of Complaint Mediation Program** – *Steven K. Hartzell*
24. **Expert Consultants** – *Rebecca Marco*
25. **Disciplinary Action Report** – *Donald Chu, PhD, PT*
26. **Discussion and Determination by the Board if Designation of Executive Officer by Department of Consumer Affairs to Issue Subpoenas Should be Sought** – *Steven K. Hartzell*

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27. Discussion and Determination by the Board if Designation of Board Staff by Department of Consumer Affairs to Write Infraction Citations Should be Sought – *Steven K. Hartzell*

28. Legislation

- A) Review of Definitions of Positions taken by the Board on Legislative Proposals
- B) Chaptered Legislation
 - 1. SB1485
 - 2. Other
- C) Other legislation

29. Items for Next Meeting Agenda and Public Address

- (A) PTBC Meeting –November 2004

Persons wishing to request agenda items for future Board consideration or to express concerns may address the Board at this time.

30. Adjournment

Times stated are approximate and subject to change. Agenda order is tentative and may be changed by the Board without prior notice. This meeting will conform to the Open Meeting Act. Agenda discussions and report items are subject to action being taken on them during the meeting by the Board at its discretion. The Board provides the public the opportunity at meetings to address each agenda item during the Board's discussion or consideration of the item. Total time allocated for public comment on particular issues may be limited.

The meeting is accessible to the physically disabled. A person who needs disability-related accommodations or modifications in order to participate in the meeting shall make a request no later than five (5) working days before the meeting to the Board by contacting Debi Mitchell at (916) 561-8200 or sending a written request to that person at the Board, 1418 Howe Avenue, Suite 16, Sacramento, CA 95825-3291. Requests for further information should be directed to Debi Mitchell at the same address or telephone number. TDD Line: (916) 322-1700.

Meeting Location Information:

The Department of Consumer Affairs' Howe Avenue Complex may be reached from either US Highway 50 or Business 80 (Capitol Freeway)

From Highway 50

Exit Highway 50 at the Power Inn/Howe Avenue off ramp and turn north onto Howe Avenue. Proceed straight at Hurley Way and then turn right into the complex just after the Red Lobster Restaurant.

From Business 80

Exit Business 80 at Arden Way and turn south onto Arden Way. Turn right onto Arden Way. At the next signal light (Hallmark) make a u-turn and then turn right into the first driveway.